

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARC J. MURI, individually and on behalf of all others similarly situated,

Plaintiff,

—against—

NATIONAL INDEMNITY COMPANY,

Defendant.

17-cv-00178-JMG-CRZ

STIPULATION REGARDING PLAINTIFF'S MOTION TO UNSEAL AND REQUEST FOR PARTIAL RELIEF FROM THE COURT'S JULY 15, 2019 ORDER

The parties, Plaintiff Marc J. Muri (“Plaintiff”) and Defendant National Indemnity Company (“NICO”, and together with Plaintiff, “the Parties”), hereby stipulate as follows regarding Plaintiff’s Motion to Unseal his Opposition to Defendant’s Motion for Summary Judgment ([Doc. No. 124](#)) (“the Motion to Unseal”):

1. On July 15, 2019, the Court issued an order ([Doc. No. 140](#)) with respect to the Motion to Unseal. The order permitted the public to access certain summary judgment exhibits (the “Accessible Documents”), and required the parties to meet-and-confer regarding other exhibits as well as Plaintiff’s summary judgment opposition (the “Subject Documents”). The Parties were to submit versions of the Subject Documents with agreed-upon redactions on or before July 29, 2019.

2. Shortly after the Court issued its July 15 order, the Parties reached an agreement pursuant to which Plaintiff agreed to withdraw his appeal of this Court’s June 18, 2019 order granting summary judgment to NICO ([Doc. No. 128](#)), and discontinue pursuit of his Motion to

Unseal ([Doc. No. 124](#)). Pursuant to this agreement, Plaintiff filed a motion for voluntary withdrawal and dismissal of the appeal on July 18, 2019, and the Court of Appeals on that same day dismissed Plaintiff's appeal and issued a formal mandate ([Doc. Nos. 140-41](#)).

3. Pursuant to the Parties' agreement, Plaintiff hereby stipulates that he no longer seeks through his Motion to Unseal to allow public access to the Subject Documents. Accordingly, the Parties request that the Court grant them relief from that part of the Court's July 15, 2019 order requiring them to meet-and-confer regarding the Subject Documents and file redacted versions of those documents on July 29, 2019.

4. The present stipulation does not seek any relief from that part of the Court's July 15, 2019 order relating to the Accessible Documents.

Dated: July 25, 2019

JOINTLY SUBMITTED BY:

Plaintiff, Marc J. Muri

By: /s/ Samuel E. Bonderoff
Samuel E. Bonderoff (admitted *pro hac vice*)

ZAMANSKY LLC

Jacob H. Zamansky (admitted *pro hac vice*)
Edward H. Glenn, Jr. (admitted *pro hac vice*)
50 Broadway, 32nd Floor
New York, NY 10004
Telephone: (212) 742-1414
Facsimile: (212) 742-1177
samuel@zamansky.com
jake@zamansky.com
eglenn@zamansky.com

Counsel for Plaintiff and the Putative Class

-and-

Defendant, National Indemnity Company

By: /s/ Paul J. Ondrasik, Jr.
Paul J. Ondrasik, Jr. (admitted *pro hac vice*)

STEPTOE & JOHNSON LLP

Eric G. Serron (admitted *pro hac vice*)
Andrew J. Sloniewsky (admitted *pro hac vice*)
1330 Connecticut Avenue, NW
Washington, DC 20036
Telephone: (202) 429-3000
Facsimile: (202) 429-3902
pondrasik@steptoe.com
eserron@steptoe.com
asloniewsky@steptoe.com

-and-

**BURG SIMPSON ELDREDGE
HERSH & JARDINE, P.C.**

Brian K. Matise
40 Inverness Drive East
Englewood, CO 80112
Telephone: (303) 792-5595
Facsimile: (303) 708-0527
BMatise@burgsimpson.com

*Local Counsel for Plaintiff and the
Putative Class*

**CLINE WILLIAMS WRIGHT JOHNSON
& OLDFATHER, L.L.P.**

Shawn D. Renner (#17784)
Tara A. Stingley (#23243)
Sterling Ridge
12910 Pierce St. # 200
Omaha, NE 68144
Telephone: (402) 397-1700
Facsimile: (402) 397-1806
srenner@clinewilliams.com
tstingley@clinewilliams.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2019 I electronically filed the foregoing **STIPULATION** with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Paul J. Ondrasik, Jr. _____

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